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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, :

Plaintiff, : <u>DEFAULT JUDGMENT</u> 07 Civ. 10493 (GEL)

- v -

\$136,000,000.00 IN UNITED STATES CURRENCY

Defendant-in rem.

: -----x USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: \$/25/08

WHEREAS, on November 20, 2007, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem ("defendant currency") by the filing of a verified complaint;

WHEREAS, on November 29, 2007, notice letters of the verified complaint were sent by certified mail, return receipt requested, to counsel for NETeller plc: Clifford Chance US LLP, 31 West 52<sup>nd</sup> Street, New York, NY 10019 Attn: James Miller, notifying them that they may have an interest in this action, and of their right to file a claim and answer and contest the forfeiture;

WHEREAS, the foregoing are the only persons known by the Government to have a potential interest in the defendant currency;

WHEREAS, notice of the Verified Complaint and in rem warrant against the defendant currency was published in the New York Law Journal once in each of the three successive weeks beginning on December 7, 2007, and proof of such publication was filed with the Clerk of this Court on April 17, 2008;

WHEREAS, no other claims or answers were filed or made in this action, and no other parties have appeared to contest the action to date, and requisite time periods have expired;

NOW THEREFORE, on the motion of Michael J. Garcia,
United States Attorney for the Southern District of New York,
attorney for the plaintiff United States of America, Seetha
Ramachandran of counsel;

## IT IS HEREBY ORDERED that:

- Plaintiff United States of America shall have judgment by default against the defendant currency.
- 2. The defendant currency be, and the same hereby is, forfeited to the plaintiff United States of America.
- 3. The United States Marshals Service shall dispose of the defendant currency, according to law.

Dated:

New York, New York

July 18, 2008

SO ORDERED:

HONORABLE GERARD Y. LYNCH UNITED STATES DISTRICT JUDGE